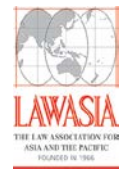


LAWASIA 27th CONFERENCE

Bangkok, 3-6 October 2014

CUTTING EDGE ISSUES FOR LAWASIA LAWYERS



Friday 3 October	DAY 1 - SESSION DETAILS		
09:00 – 12:00	LAWASIA ExCo Meeting (ExCo members only) – Business Centre Boardroom		
13:00 – 16:30	LAWASIA Council meeting (Council members only) – River Room		
16:00 – 18:00	Delegate Registration – Chatrium Ballroom Foyer		
18:00 – 20:00	Welcome Reception – Chatrium Ballroom		
Saturday 4 October	DAY 2 - SESSION DETAILS		
09:00 – 10:30	Opening Ceremony – Chatrium Ballroom Inaugural Address – His Excellency Professor Atthaniti Disatha-amnarj, His Majesty's Privy Councillor Address: President, Lawyers Council of Thailand – Mr Dej-Udom Krairit (THAILAND) Address: President, LAWASIA – Mr Isomi Suzuki (JAPAN)		
10:30 – 11:00	Networking Morning Tea – Chatrium Ballroom Foyer		
11:00 – 12:30	CHATRIUM BALLROOM	THE RIVER ROOM	RAVIPA ROOM
	FAMILY LAW Getting to 'Maybe' in International Family Disputes Different forms of ADR in family disputes - mediation, collaborative practice and arbitration. Does the subject matter of the dispute impact on what type of ADR works best?; finality of settlement agreements; cross-border enforcement; recognition of settlement agreements. Chair: Ms Malathi Das, Joyce A Tan & Partners (SINGAPORE) Panellists: <ul style="list-style-type: none"> Mr TL Yap, TL Yap & Associates (SINGAPORE) Mr Justin Dowd, Watts McCray (AUSTRALIA) Mr David Lawrence, Tilleke and Gibbins International Ltd (THAILAND) Ms Mikiko Otani, Otani Law Offices (JAPAN) Ms Serene Ong (MALAYSIA) 	CORPORATE SECURITIES & INVESTMENT Hot FDI Destinations of ASEAN Community 2015 With the ASEAN Economic Community coming into effect in 2015, this session will examine the legal landscapes in ASEAN countries that will be especially attractive to foreign direct investment. Chair: Mr Jeff Leong, Jeff Leong, Poon & Wong (MALAYSIA) Speakers: <ul style="list-style-type: none"> Mr San Lwin, JLPW Legal Services (Myanmar) Co Ltd (MYANMAR) Mr Michael S Carl, Soewito Suhardiman Eddymurthy Kardono (INDONESIA) Mr André Brunschweiler, LALIVE (SWITZERLAND) Ms Sachie Hasegawa, Mitsubishi UFJ Research & Consulting (JAPAN) 	ECOTOURISM Environmental and Tourism Laws-Conflicts and Marriages It is quintessential that the twin peaks of glory and gain in the form of environment and tourism must always be balanced. Achieving the benefits of tourism without unacceptable environmental, cultural and social impacts must be the forerunner of all modern day laws and regulations. Regulators and stakeholders must be inspired in their duties by the thought that every today well lived makes every yesterday a rewarding tomorrow. Chair: The Honourable Justice Brian Preston, Chief Judge, Land & Environment Court of New South Wales (AUSTRALIA) Speakers: <ul style="list-style-type: none"> Mr V Shekhar, Senior Advocate, Vice President, Supreme Court Bar Association (INDIA) Dr Orapan Nabangchang, Deputy Director, Economy and Environment Program for Southeast Asia (THAILAND) Dr Anton Maurer, CMS Hasche Sigle (GERMANY)
12:30 – 13:30	Lunch – River Barge Restaurant		
13:30 – 15:00	CHATRIUM BALLROOM	THE RIVER ROOM	RAVIPA ROOM
	ADR Trends and Developments Various national and international initiatives are taking place, which are entrenching the role of ADR. This session will address current initiatives in a number of key commercial jurisdictions. Chair: Mr Niten Chauhan, JPC Law (UNITED KINGDOM) Speakers: <ul style="list-style-type: none"> Mr Umang Gupta, Agarwal Law Associates (INDIA) Mr Ferdinand J Kim, Soorun Asia Law Offices (KOREA) Mr Michihiro Mori, Nishimura & Asahi (JAPAN) Mr Tony Budidjaja, Budidjaja & Associates (INDONESIA) 	ENERGY & RESOURCES Opportunities in Asia Pacific Coordinator: Mr Matthew Baird, Barrister (AUSTRALIA / THAILAND) Speakers: <ul style="list-style-type: none"> Mr Guy Dwyer, Tutor, Macquarie University (AUSTRALIA) Mr Matthew Baird, Barrister (AUSTRALIA / THAILAND) Mr Yakesh Anand, Anand & Associates (INDIA) 	ESTATE PLANNING Thinking Ahead This session will encompass discussion on wills, trusts, succession and the cross border issues that emerge around the Asia Pacific region. Chair: Mr Lester Huang, PC Woo & Co (HONG KONG) Speakers: <ul style="list-style-type: none"> Mr John Corcoran, Chairman, Russell Kennedy (AUSTRALIA) Mr John Wilson, John Wilson Partners (SRI LANKA) Ms Claudia Wai-Shan Ling, PC Woo & Co (HONG KONG)

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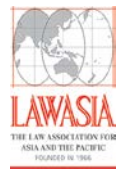
15:00 – 15:30	Networking Afternoon Tea - Chatrium Ballroom Foyer		
15:30 – 17:00	CHATRIUM BALLROOM	THE RIVER ROOM	RAVIPA ROOM
	<p>BAR ISSUES <i>Maintaining Professional Independence</i></p> <p>Bar leaders share experiences in a range of issues that may impact upon professional independence, including intimidation, discrimination, government interference and dual regulation.</p> <p>Chair: Mr Ian Haynes, Vice President, LAWASIA (NEW ZEALAND)</p> <p>Panellists:</p> <ul style="list-style-type: none"> • Mr Steven Thiruneelakandan, Vice President, <i>Bar Council Malaysia</i> (MALAYSIA) • Mr Husnu Al Suood, President, <i>Maldives Bar Association</i> (MALDIVES) • Dr Martin Abend, Vice President, <i>Bundesrechtsanwaltskammer -The German Federal Bar</i> (GERMANY) • Mr Michael Colbran QC, President, <i>Law Council of Australia</i> (AUSTRALIA) <p>Address: Mr Chulwan We, President, <i>Korean Bar Association</i> KBA Initiative – Legislation Evaluation System</p>	<p>LAW MANAGEMENT <i>Strategy and Business Planning</i></p> <p>The value and benefits of planning, an overview of the planning process, undertaking a situational analysis, developing practice objectives and related strategy, formulating the action plan, and execution and review.</p> <p>Coordinator/Chair: Mr Antony Dapiran, <i>Davis Polk & Wardell LLP</i> (HONG KONG)</p> <p>Presenter: Mr Paul Malliate, <i>PSS Global Pty Ltd</i> (AUSTRALIA)</p>	<p>TAXATION <i>Current Tax Laws: Economic Enabler or Social Amputator?</i></p> <p>Brief insight on the current state of tax affairs in India, Thailand, Malaysia, Maldives and Hong Kong</p> <p>Chair: Mr Murad Ali, <i>Messrs K'mura & Co</i> (MALAYSIA)</p> <p>Panellists:</p> <ul style="list-style-type: none"> • Mr Picharn Sukparangsee, <i>Siam City Law Offices Limited</i> (THAILAND) • Mr Sachit Jolly, <i>DMD Advocates</i>, (INDIA) • Mr Saravana Kumar, <i>Lee Hishamuddin Allen & Gledhill</i> (MALAYSIA) • Mr M Shahdy Anwar, <i>Suood Anwar LLP</i> (THE MALDIVES) • Mr Michael Lorenz, <i>Lorenz & Partners Co Ltd</i> (HONG KONG)
18:45 – 21:00	River Cruise Dinner (optional extra) – pre-purchased ticket holders only		

Sunday 5 October	DAY 3 - SESSION DETAILS		
09:00 – 09:50	<p>Plenary Session: ESTABLISHING A REGIONAL APPROACH TO HUMAN RIGHTS-RELATED BUSINESS DEVELOPMENT – ANY POSSIBILITY? Dr Sriprapha Petcharamesree, <i>Mahidol University</i> (THAILAND)</p> <p>Chair: The Honourable TF Bathurst AC, Chief Justice of New South Wales (AUSTRALIA)</p>		
09:50 – 10:45	<p>Plenary Session: G L SANGHI MEMORIAL LECTURE: Poverty as an Assault on Human Rights Mr KK Venugopal, Senior Advocate, <i>Supreme Court of India</i> (INDIA)</p>		
10:45 – 11:00	Networking Morning Tea – Chatrium Ballroom Foyer		
11:00 – 12:30	CHATRIUM BALLROOM	THE RIVER ROOM	RAVIPA ROOM
	<p>ENVIRONMENTAL IMPACT ASSESSMENT <i>Recent Developments in Environmental Assessment in Asia</i></p> <p>Legal regime and jurisprudence in the region</p> <p>Chair: Mr Matthew Baird, Barrister (AUSTRALIA/THAILAND)</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Ms Melissa Pang, <i>Pang & Associates</i> (HONG KONG SAR) • Dr Leonie Kelleher OAM, <i>Kellehers Australia</i> (AUSTRALIA) • Mr Yoshimichi Makiyama, <i>Kitamura & Makiyama</i> (JAPAN) 	<p>EMPLOYMENT LAW <i>Personal Privacy Rights and Workplace Obligations</i></p> <p>Chair: Mr Bernard Banks (NEW ZEALAND)</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Ms Keat Ching Wong, <i>ZUL RAFIQUE & Partners</i> (MALAYSIA) • Mr Stephen Hughes, <i>Carter Newell</i> (AUSTRALIA) • Ms Ruwani Dantanarayana, <i>John Wilson & Partners</i> (SRI LANKA) • Ms Chanakarn Boonyasith, <i>Siam City Law Offices Limited</i> (THAILAND) 	<p>BANKING & FINANCE <i>Regulating Asia: Resuscitating or Suffocating the Banking and Finance Industry?</i></p> <p>With financial scandals gracing the front page of our newspapers every other day, regulators are scrambling to minimise further damage. Do we not already have enough regulation? Will further regulation breathe life into the banking industry or be another nail in the coffin?</p> <p>Coordinator/Chair: Mr Jal Othman, <i>Shook Lin & Bok LLP</i> (MALAYSIA)</p> <p>Panellists:</p> <ul style="list-style-type: none"> • Mr Suriya Nachin, <i>ZICOLaw (Thailand) Limited</i> (THAILAND) • Dr Pinky Anand, <i>Additional Solicitor General</i> (INDIA)
12:30 – 13:30	Lunch – River Barge Restaurant		

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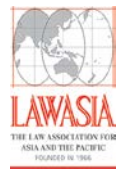



13:30 – 15:00	CHATRIUM BALLROOM	THE RIVER ROOM	RAVIPA ROOM
	<p>CORPORATE SECURITIES AND INVESTMENT <i>The Morning After – Dealing with Post-Signing Surprises in Cross-Border M&A</i></p> <p>Nasty surprises can occur after the champagne has been drunk and the glasses tossed from the 101st floor. How should the parties deal with material adverse changes, force majeure and other imponderables? The panellists will explore the “morning-after” pills to prescribe to the parties.</p> <p>Chair: Mr Manoj Chhabra, Astra Law Offices (INDIA)</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Mr Henning von Zanthier, Von Zanthier & Schulz (GERMANY) • Mr Severin Roelli, Pestalozzi Law (SWITZERLAND) • Dr William Wong SC, Des Vouex Chambers (HONG KONG) • Ms Chisako Takaya, Mori Hamada & Matsumoto (JAPAN) • Mr Hyeong Gun Lee, Lee & Ko (KOREA) 	<p>INTERNATIONAL MOOT COMPETITION FINAL ROUND</p>	<p>ENVIRONMENTAL / JUDICIAL <i>Improved Resolution of Environmental Disputes by Judicial Specialisation</i></p> <p>How courts and tribunals have addressed environmental cases in Asia-Pacific region, including examples of specialised environmental courts and tribunals (green courts in Australia, New Zealand, India, China), specialised divisions (green benches in Thailand Courts of Justice and Administrative Courts), or trained or accredited judges (green judges in Philippines/Indonesia).</p> <p>Chair: The Honourable Justice Mah Weng Kwai, Court of Appeal (MALAYSIA)</p> <p>Speakers:</p> <ul style="list-style-type: none"> • The Honourable TF Bathurst AC, Chief Justice of New South Wales (AUSTRALIA) • The Honourable Justice Suntariaya Muanpawong, Environmental Division, Supreme Court (THAILAND) • The Honourable Justice Brian Preston, Chief Judge, Land & Environment Court of New South Wales (AUSTRALIA)
15:00 – 15:30	Networking Afternoon Tea – Ballroom Foyer		
15:30 – 17:00	CHATRIUM BALLROOM	THE RIVER ROOM	RAVIPA ROOM
	<p>INTELLECTUAL PROPERTY <i>Infringement vs Enforcement: Who is Winning the IP Battle?</i></p> <p>This session will cover a range of current topics in the region’s intellectual property arena from ISDS to media piracy.</p> <p>Chair: Mr Alan Moyle, Moyle & Associates (AUSTRALIA)</p> <p>Speakers:</p> <ul style="list-style-type: none"> • A/Prof David Price, School of Law, Charles Darwin University (AUSTRALIA) • Dr Murray Green, Media Lawyer (AUSTRALIA) • Mr Jun Takahashi, Flag Law Office (JAPAN) • Mr Kenneth Choy, Choy Cheung & Co (HONG KONG) 	<p>INTERNATIONAL MOOT COMPETITION FINAL ROUND</p>	<p>DISCRIMINATORY LAWS <i>Where Law and Justice May Collide</i></p> <p>In specific countries of the region, some laws or application of them may be seen to single out various sectors of society for different treatment. What are the issues for the legal profession in laws that are seen as discriminatory?</p> <p>Chair: The Honourable Justice Mah Weng Kwai, Court of Appeal (MALAYSIA)</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Mr Christopher Leong, President, Malaysian Bar (MALAYSIA) • The Honourable Justice Julie Ward, Supreme Court of New South Wales (AUSTRALIA) • Mr Prashant Kumar, KPA Legal (INDIA) • Dr Joseph Patrick Meissner, Friendship Foundation American – Vietnamese (UNITED STATES)
18:40 – 19:00	Pre-Dinner Drinks – Chatrium Ballroom Foyer		
19:00 – late	Conference Dinner – Chatrium Ballroom		

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<p>Monday 6 October</p>	<p>DAY 4 - SESSION DETAILS</p>		
<p>09:00 – 10:00</p>	<p>Plenary Session: UN COMMISSION REPORT DPRK – A SPECIAL CHALLENGE FOR ASIA’S LAWYERS The Honourable Michael Kirby AC CMG (AUSTRALIA) Chair: Mr Isomi Suzuki, President, LAWASIA (JAPAN) Address: Mr Chulwhan We, President, Korean Bar Association (KOREA) Session sponsored by the Korean Bar Association</p> <div style="text-align: right;">  KOREAN BAR ASSOCIATION </div>		
<p>10:00 – 11:30</p>	<p>CHATRIUM BALLROOM</p>	<p>THE RIVER ROOM</p>	<p>RAVIPA ROOM</p>
	<p>ANTI-CORRUPTION <i>Anti-Corruption Measures in the Asia Pacific Region: Success or Struggle?</i></p> <p>Are legislative and regulatory efforts in LAWASIA countries capable of dealing adequately with the scourge of corruption? Where do the challenges lie and have these changed?</p> <p>Chair: Mr Akio Harada (JAPAN)</p> <p>Presenters:</p> <ul style="list-style-type: none"> • Mr Mark Trowell QC, Albert Wolff Chambers (AUSTRALIA) • Prof John McDermott, Loyola Law School (UNITED STATES) • Ms Sarah Hutchinson, Law Society of England & Wales (UNITED KINGDOM) 	<p>DATA PROTECTION <i>Is Asian Data Protection Legislation Living up to the LAWASIA Privacy Principles?</i></p> <p>In 2009, the LAWASIA Council settled the <i>LAWASIA Declaration on the Need for Adequate Privacy Laws in the Asia Pacific Region</i> and the <i>LAWASIA Privacy Principles</i> which sought to broker a common legislative approach within the region to ensuring that personal information relating to an individual would not be used or handled in a manner inconsistent with the individual's reasonable expectations. Four years on, this session will consider whether recent developments within the region are consistent with this aspiration and, specifically, whether there is an increasing level of protection of privacy emerging within the Asia-Pacific region.</p> <p>Chair: Datuk DP Naban, Lee Hishammuddin Allen & Gledhill (MALAYSIA)</p> <p>Presenters:</p> <ul style="list-style-type: none"> • Mr Rajesh Sreenivasan, RAJAH & TANN (SINGAPORE) • Mr Mitsuhiro Kato, Patent & Law Firm JuJu (JAPAN) • Dr Gordon Hughes, Ashurst (AUSTRALIA) • Mr Sunil DB Abeyaratne, Attorney-at-Law (SRI LANKA) 	<p>FRANCHISING <i>Franchising and the ASEAN Economic Community</i></p> <p>The establishment of the AEC presents both opportunities and challenges for franchisors in the region. The AEC will expose local markets to competition from foreign brands but will also help local brands to build regional scale that will facilitate global expansion. This session will focus on legal and regulatory developments in franchising in ASEAN member countries and the pressure for regulatory reform flowing from the introduction of the AEC.</p> <p>Franchising implications of the AEC and template format presentations on key issues/developments in franchise law/regulation in ASEAN countries.</p> <p>Chair: Mr Andrew Terry, The University of Sydney Business School (AUSTRALIA)</p> <p>Presenters:</p> <ul style="list-style-type: none"> • Mr Tee Jim Tan SC, Lee & Lee (SINGAPORE) • Dr Nguyen Ba Binh, Hanoi Law University (VIETNAM) • Mr Chavalit Uttasart, Chavalit & Associates (THAILAND) • Dr Pornchai Wisuttisak, Chiang Mai University (THAILAND)
<p>11:30 – 11:45</p>	<p>Networking Morning Tea – Ballroom Foyer</p>		
<p>11:45 – 12:45</p>	<p>CLOSING CEREMONY <i>(moot presentation & farewell)</i></p>		